

Ifa

PATENT

Case Docket No. CHMC17.001CP1

Date: September 15, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Greinwald, et al.  
Appl. No. : 10/786,518  
Filed : February 24, 2004  
For : MICROARRAY-BASED  
DIAGNOSIS OF PEDIATRIC  
HEARING IMPAIRMENT-  
CONSTRUCTION OF A  
DEAFNESS GENE CHIP  
Examiner : Unknown  
Group Art Unit : 1634

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 15, 2004

(Date)

*Suzanne G. Jepson*  
Suzanne G. Jepson, Ph.D., Reg. No. 51,848

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

*Suzanne G. Jepson*  
Suzanne G. Jepson, Ph.D.  
Registration No. 51,848  
Agent of Record  
Customer No. 20,995  
(619) 235-8550



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Greinwald, et al. )  
App. No. : 10/786,518 )  
Filed : February 24, 2004 )  
For : MICROARRAY-BASED DIAGNOSIS )  
OF PEDIATRIC HEARING )  
IMPAIRMENT-CONSTRUCTION OF )  
A DEAFNESS GENE CHIP )  
Examiner : Unassigned )

---

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION**  
**AND**  
**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040

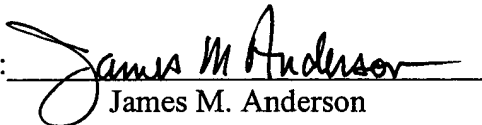
**App. No.** : 10/786,518  
**Filed** : February 24, 2004

Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Children's Hospital Medical Center

Dated: 2/24/04

By:   
James M. Anderson

Title: President & CEO

Address: 3333 Burnet Avenue  
Cincinnati, OH 45229-3039

S:\DOCS\CBW\CBW-2131.DOC\060704

Application No.: 10/786,518  
Filing Date: February 24, 2004

**COPY**  
**DO NOT RECORD**

**PATENT**  
Client Code: CHMC17.001CP1  
Page 1

**ASSIGNMENT**

WHEREAS, We, John H. Greinwald, Jr., a United States citizen, residing at 9067 Symmes Ridge Lane, Loveland, OH 45140, Richard J. Wenstrup a United States citizen, residing at 2880 Alpine Terrace, Cincinnati, OH 45208, Bruce J. Aronow, a United States citizen, residing at 9994 Alydar Court, Cincinnati, OH 45242, and John P. Pestian, a United States citizen, residing at 837 Miami ridge Drive, Loveland, OH 45140, have invented certain new and useful improvements in a MICROARRAY-BASED DIAGNOSIS OF PEDIATRIC HEARING IMPAIRMENT-CONSTRUCTION OF A DEAFNESS GENE CHIP for which we have filed an application for Letters Patent in the United States, Application No. 10/786,518, Filed on February 24, 2004;

AND WHEREAS, Children's Hospital Medical Center (hereinafter "ASSIGNEE"), a Ohio Corporation, with its principal place of business at 3333 Burnet Avenue, Cincinnati, Ohio 45229-3039, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

Application No.: 10/786,518  
Filing Date: February 24, 2004

PATENT  
Client Code: CHMC17.001CP1  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of Jan, 2004

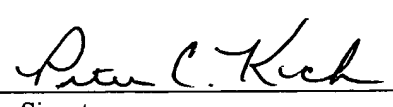
  
John H. Greinwald, Jr.

STATE OF OHIO }  
COUNTY OF HAMILTON } ss.

On July 28, 2004, before me, Peter C. Koch, personally appeared John H. Greinwald, Jr. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Notary Signature

PETER C. KOCH  
Notary Public, State of Ohio  
My Commission Expires February 1, 2005

Application No.: 10/786,518  
Filing Date: February 24, 2004

Client Code: CHMC17.001CP1

Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of July, 2004

  
Richard J. Wenstrup

STATE OF OHIO

COUNTY OF HAMILTON

} ss.

On July 22, 2004, before me, Peter C. Koch, personally appeared Richard J. Wenstrup personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Notary Signature

PETER C. KOCH  
Notary Public, State of Ohio  
My Commission Expires February 1, 2005

Application No.: 10/786,518  
Filing Date: February 24, 2004

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of July, 2004.

Bruce J. Aronow  
Bruce J. Aronow

STATE OF OHIO }  
COUNTY OF HAMILTON } ss.

On 7/27/04, before me, Peter C. Koch, personally appeared Bruce J. Aronow personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Peter C. Koch  
Notary Signature

PETER C. KOCH  
Notary Public, State of Ohio  
My Commission Expires February 1, 2005

Application No.: 10/786,518  
Filing Date: February 24, 2004

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of July, 2004.

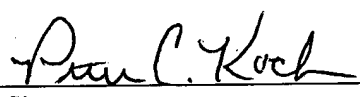
  
\_\_\_\_\_  
John P. Pestian

STATE OF OHIO }  
COUNTY OF HAMILTON } ss.

On July 7, 2004, before me, Peter C. Koch, personally appeared John P. Pestian personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
\_\_\_\_\_  
Notary Signature

PETER C. KOCH  
Notary Public, State of Ohio  
My Commission Expires February 1, 2005